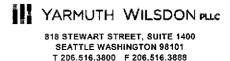
Hon, Robert S. Lasnik 1 2 3 | 120168| ||| 5||95|| |2|69| |166| |151| 01 |166| 4 11-CV-00726-APPL 5 6 7 8 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 9 JASON MOOMJY, individually and on 10 No. 2:11-cv-00726-RSL behalf of all others similarly situated, 11 Plaintiff. **CLASS ACTION** 12 STIPULATION AND PROPOSED ORDER EXTENDING TIME TO FILE 13 HQ SUSTAINABLE MARITIME **BRIEFING ON MOTIONS TO DISMISS** INDUSTRIES, INC., NORBERT IN LIGHT OF SETTLEMENT IN 14 SPORNS and JEAN-PIERRE PRINCIPLE DALLAIRE, et al., 15 **NOTE ON MOTION CALENDAR:** September 14, 2012 Defendants. 16 17 18 WHEREAS Defendants in this case filed motions to dismiss (Dkt. Nos. 109, 111, 19 and 115) on February 7, 2012 (the "Motions to Dismiss"); 20 WHEREAS in light of settlement discussions, the parties have stipulated to, and the 21 Court has approved, extensions on the deadlines for Lead Plaintiff's opposition to the 22 Motions to Dismiss and Defendants' replies thereto; 23 WHEREAS by a stipulation and order dated August 16, 2012, the Court ordered that 24 the deadlines for Lead Plaintiff's opposition to the Motions to Dismiss and Defendants' 25 replies thereto be extended at the parties' request in order to permit them to continue 26 settlement negotiations. Lead Plaintiff's opposition to the Motions to Dismiss and



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Defendants' replies thereto are now due on September 14, 2012, and October 19, 2012, respectively, and the motions have been re-noted for October 19, 2012 (Dkt. No. 131);

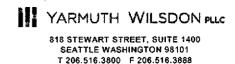
WHEREAS the parties believe that they have reached a settlement in principle,
Lead Plaintiff has sent draft settlement documents to Defendants, and Defendants will
provide Lead Plaintiff with proposed edits to those settlement documents on September 14,
2012; and

WHEREAS the parties anticipate filing papers related to preliminary approval of the settlement, notice to the class, and the hearing for final approval of the settlement by September 28, 2012;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the parties, that:

- 1. The time for Lead Plaintiff to file an opposition to the Motions to Dismiss should be extended from September 14, 2012, to September 28, 2012.
- The time for HQ Sustainable Maritime Industries, Inc., Norbert Sporns,
 Jean-Pierre Dallaire, Ladenburg Thalmann & Co. and Roth Capital Partners, LLC to file
 replies in further support of their Motions to Dismiss should be extended from October 19,
 2012, until November 2, 2012.
 - 3. The Motions to Dismiss should be re-noted for November 2, 2012.

STIP AND [PROP] ORDER EXTENDING TIME TO FILE BRIEFING ON MOTIONS TO DISMISS IN LIGHT OF SETTLEMENT IN PRINCIPLE – Page 2 (No. 11-726-RSL)



1	DATED: September 14, 2012
2	
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[TROPOSED] ORDER IT IS HEREBY ORDERED that in light of the parties' progress toward settlement of this action, and to conserve the resources of the parties and the Court, the deadline for the Lead Plaintiff to file an opposition to the pending motions to dismiss the consolidated complaint in this action (Dkt. Nos. 109, 111, and 115) is extended until September 28, 2012. The Defendants shall have until November 2, 2012, to file any replies in further support of their motions to dismiss. The motions to dismiss shall be re-noted for November 2, 2012. DATED this 19th day of Sept. UNITED STATES DISTRICT JUDGE



(No. 11-726-RSL)

